GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Public Services - Revenue Department - Vigilance Reports - Allegations against Sri.K.Khageswara Rao, being a responsible Govt.Officer, while working as a VRO, Mogalipadu Village of Palasa Manda, APSCSC Ltd., Srikakulam -Disciplinary proceedings under rule - 20 of Andhra Pradesh Civil Services(Classification Control Appeal) Rules, 1991 - Articles of charge - Issued.

REVENUE (VIGILANCE-I) DEPARTMENT

G.O.Rt.No.920 **Dated:09-10-2023**

Read:

G.O.Ms.No.189, Revenue (Vigilance. I) Dept., Dt: 26.06.2020

ORDER:

In pursuance to the G.O read above, it is proposed to hold an enquiry against Sri.K.Khageswara Rao, being a responsible Govt.Officer, while working as a VRO, Mogalipadu Village of Palasa Manda, APSCSC Ltd., Srikakulam with the procedure laid down in Rule 20 of Andhra Pradesh Civil Services (Classification Control Appeal) Rules, 1991.

2. The substance of the imputations of misconduct or misbehavior in respect of which the enquiry are proposed to be held is set out in the enclosed statement of Articles of Charges (Annexure - I). A list of documents by which, and a list of witnesses by whom the articles of charges are proposed to be sustained are also enclosed (Annexure-II III).

3. Sri. K.Khageswara Rao, being a responsible Govt.Officer, while working as a VRO, Mogalipadu Village of Palasa Manda, APSCSC Ltd., Srikakulam is directed to submit a written statement of his defense within 10 days of receipt of this order.

4. Sri. K.Khageswara Rao, being a responsible Govt.Officer, while working as a VRO, Mogalipadu Village of Palasa Manda, APSCSC Ltd., Srikakulam is informed that an inquiry will be held only in respect of those articles of charges as are not admitted. He should, therefore, specifically admit or deny each article of charge.

5. Sri. K.Khageswara Rao, being a responsible Govt.Officer, while working as a VRO, Mogalipadu Village of Palasa Manda, APSCSC Ltd., Srikakulam is further informed that if they do not submit his written statement of defense on or before the date specified in para 3 above further action will be processed based on the material available.

6. Attention of Sri. K.Khageswara Rao, being a responsible Govt.Officer, while working as a VRO, Mogalipadu Village of Palasa Manda, APSCSC Ltd., Srikakulam invited to Rule 24 of Andhra Pradesh Civil Services (Conduct) Rules 1964 under which no Government Servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interest in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt within these proceedings, it will be presumed that Sri.K.Khageswara Rao, being a responsible Govt.Officer, while working as a VRO, Mogalipadu Village of Palasa Manda, APSCSC Ltd., Srikakulam is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule 24 of Andhra Pradesh Civil Services (Conduct) Rules 1964.

7. The receipt of the Memorandum may be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

G. SAI PRASAD
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To

Sri. K.Khageswara Rao, being a responsible Govt.Officer, while working as a VRO, Mogalipadu Village of Palasa Manda, APSCSC Ltd., Srikakulam(Through the Chief Commissioner of Land Administration, A.P., Mangalagiri for service and to return the served copy with dated acknowledgement immediately (By RPAD))

The Chief Commissioner of Land Administration, A.P., Mangalagiri.

Copy to:

The District Collector Srikakulam District

SF/SC

//FORWARDED::BY ORDER//

SECTION OFFICER

ANNEXURE-I

STATEMENT OF ARTICLES OF CHARGE FRAMED AGAINST SRI.K.KHAGESWARA RAO, THE THEN VILLAGE REVENUE OFFICER, MOGALIPADU VILLAGE AND PRESENTLY WORKING AS A VILLAGE REVENUE OFFICER GRADE-I, KASIBUGGA UNIT-II, PALASA MANDAL.

Articles of Charges-I: -

That, Sri.K.Khageswara Rao, being a responsible Govt. Officer, while working as a VRO, Mogalipadu Village of Palasa Mandal, Srikakulam District has indulged in malpractices and yielded to the influences of the said Rice Mill owner and irregularly issued Paddy Cultivation Certificates to the family members and Mill workers and nearest relatives of Rice Mill owner who are not farmers and not done any agriculture activity, due to which the defaulter found a malfeasance way and thus caused a huge loss to the Govt. to a tune of Rs.3,48,73,266/- (Rupees Three Crore Forty Eight Lakhs Seventy Three Thousand Two Hundred and Sixty Six only) being the value of 893.387MTs of Paddy.

Thus, Sri.K.Khageswara Rao, the then Village Revenue Officer, Mogalipadu Village and Presently working as a Village Revenue Officer Grade-I, Kasibugga Unit-II, Palasa Mandal by his above mentioned acts, has shown laxity, indiscipline in attending official duties and exhibited lack of devotion to duty and there by contravened Rule 3(1)(2)(3)(4) (5) of APCS (Conduct) Rules, 1964.

G. SAI PRASAD
SPECIAL CHIEF SECRETARY TO GOVERNMENT

//FORWARDED::BY ORDER//

SECTION OFFICER

ANNEXURE-II

STATEMENT OF IMPUTATIONS OF MISCONDUCT OR MISBEHAVIOUR IN SUPPROT OF THE ARTICLES OF CHARGE FRAMED SRI.K.KHAGESWARA RAO, THE THEN VILLAGE REVENUE OFFICER, MOGALIPADU VILLAGE AND PRESENTLY WORKING AS A VILLAGE REVENUE OFFICER GRADE-I, KASIBUGGA UNIT-II, PALASA MANDAL.

In the Vigilance Report No.24 (C.No.422/V&E/CS/2017, dt:15.03.2019), it is stated that based on the petition of Sri.Malla Ganesh, Palasa relating to irregularities committed by Sri Sasanapuri Murali Krishna, Proprietor of M/s Murali Krishna Modern Rice Mill, Mogalipadu (V), Palasa Mandal, Srikakulam District in Custom Milling Rice (CMR) entrusted by A.P.S.C.S.Corp.Ltd., Srikakulam who caused pecuniary loss to Govt by embezzling the paddy with the influence of the local political leaders.

Details of the Enquiry conducted by the V&E officials: -

The V&E officials obtained required information from D.M., APSCSC, Srikakulam, DSO, Srikakulam, Tahsildars of Palasa and Vajrapukotturu, Agricultural VROs concerned and also conducted field enquiries on the genuineness of farmers and further visited the following subject Rice Mills.

1) M/s Murali Krishna Modern Rice Mill, Mogilipadu
2) M/s Kalammathalli Traders C/o SKR Modern Rice Mill, Palasa (V) (M), Srikakulam (Dist.).

Facts & Evidences: -

That during 2014-15 seasons, the paddy procurement activity was under taken by the APSCSC Ltd., Srikakulam and 116 Rice Millers have been approved as designated Rice Millers for entrustment of Custom Milling Activity. Among them, M/s Murali Krishna Modern Rice Mill, Mogalipadu Village, Palasa Mandal, Srikakulam District was one which was entrusted the paddy for custom Milling Rice during the year 2014-15 as detailed below:-

1. M/s Murali Krishna Modern Rice Mill, Mogalipadu, Palasa Mandal: -

Paddy issued to Rice Mill during 2014-15 in M.Ts	Resultant rice to be delivered 67% in M.Ts	CM Rice so far delivered as per records in M.Ts	CM Rice due from the Rice Miller in M.Ts	Economic cost Of the C.M.R. due in Lakhs
4874.00	3265.580	2372.193	893.387	Rs.348.73 Lakh

that the V&E officials have verified the connected documents and further enquired the reasons for non-delivery of the CMR during 2014-15 season and also enquired into the facts on the allegations against the erred Rice Miller, which revealed as follows:-

1. That on 22.09.2017, the officials of V&E Dept., conducted surprise inspection of M/s Murali Krishna Modern Rice Mill, Mogalipadu, Palasa Mandal, Srikakulam District in the presence of the owner Sri Sasanapuri Murali Krishna, which revealed that the said Rice Mill was approved by the then Collector (CS), Srikakulam as designated Rice Mill during the season 2014-15. The Physical verification of mill revealed that there is no quantity of either CMR paddy or CMR Rice. The Mill owner accepted that he has to deliver to APCSC to an extent of 893.387 M.Ts Rice Worth Rs.3,48,73,266/-.

2. That the agreement entered into by the District Manager, APSCSC Ltd., Srikakulam dated:28.11.2014 with the 07 stipulated conditions.

3. That two (02) Procurement Centers in Palasa Mandal and one (01) Paddy Purchase Center in Vajrapukotturu Mandal were said to have been opened during the year 2014-15 as detailed below:-

SL.No.	Name of the PPC	No. of Rice Mills attached	Procurement entrusted
1	Palasa	09 Rice Mills, including Murali Krishna Modern Rice Mill, Mogalipadu	Primary Agrl.Coop.Society, Palasa
		7 Rice Mills, Excluding Murali Krishna Modern Rice Mill, Mogalipadu	Village Organisation, IKP, Brahmanatarla, Palasa (M).
		02 Rice Mills, excluding Murali	Primary

2	Vajrapukotturu	Krishna Modern Rice Mill, Mogalipadu	Agrl.Coop.Society, Vajrapukotturu

4. That as per the information furnished by the DM, APSCSC., Srikakulam, during the Kharif season 2014-15, paddy was said to have been procured from 145 farmers 4754.80 M.Ts worth Rs.6,63,34,440/- by the PPC at Palasa and Vajrapukotturu Mandals as detailed as above and entrusted to M/s Murali Krishna Modern Rice Mill, Mogalipadu, Palasa (M). As against the resultant Rice (67%) (Comes to 3265.580 Mts.), the said miller said to have been delivered CMR of only 2372.193 MTs, leaving a balance of 893.387 MTs.

5. That the DMCS, APSCSC., Srikakulam in their Proceedings vide Mktg.1/M1/Paddy/MSP/2014-15, dt:02.02.2017, has directed the Rice Miller to deliver the CMR due or pay an amount of Rs.3,48,73,266/- towards 11/2 times of economic cost of CMR dues.

6. That the DMCS, APSCSC., Srikakulam fled a Criminal Complaint in the SHO, Palasa-Kasibugga vide FIR.No.97/2016 U/s 420, 403, 406 IPC against Sri. Sasanapuri Murali Krishna, Owner of M/s Murali Krishna Modern Rice Mill for his failure to handover the CMR of 893.387 MTs.

7. That the Tahsildar, Palasa in his Lr.Rc.No.42/2018/A/dt:29.01.2018 has informed that the persons whose names the paddy was said to have been supplied to the PPCs during the 2014-15 season, were not having any lands and not done any agricultural activity.

The V&E officials have also conducted random verification of farmers at different villages and enquired about the genuineness of the land holdings and fact of paddy supplies to the paddy purchasing centers during the year 2014-15 which revealed as follows: -

Sl. No.	Name of the Farmer	PPC Center	Details shown in the records Of PPC Center		Amount credited		Findings of enquiry
			Extent Of Land In Acres	Paddy in Qtls	Bank	Amount	
1	2	3	4(i)	4(ii)	5(i)	5(ii)	6
1	Yerupalli Lxminarayana S/o Kamayya, Garudabhadra (V)	PACS, Palasa	12.43	493.6	SBI, Palasa	5,40,000/- 1,30,560/-	He stated that he has no Agricultural lands and he did not do not cultivation activity, no paddy supplied to the PPC. He further stated that the owner of Murali Krishna MRM has taken his bank account details and aadhar card details. He admitted that the said amount was credited to

							his SB account from APSCSC, Srikakulam and the same was drawn in cash from the SB account and paid to the Mill Owner as per his request. He denied the signatures on the PPC documents.
2	Arli Danesh S/ Ramana, Garudabhadra	PACS, Palasa	16.84	400	SBI, Palasa	5,44,000/-	The individual has not done any cultivation activity and he has not supplied paddy to the PPC
3	M.Narayana S/o Kannayya, Marripadu (V)	PACS, Palasa	17.52	322	SBI, Palasa	4,50,800/-	The individual has not done any cultivation activity and he has not supplied paddy to the PPC.
4	Paidi Krishna Rao S/o Karanna, Kedaripuram (V)	PACS, Palasa	17.52	400	SBI, Palasa	5,44,000/-	The individual has not done any cultivation activity and he has not supplied paddy to the PPC.
5	Paidi Satyam S/o Krishna Rao, Kedaripuram	PACS, Palasa	13.51	216	Andhra Bank, Kasibugga	7,34,400/-	The individual has not done any cultivation activity and he has not supplied paddy to the PPC.
6	Guggilapu Srinivasa Rao	PACS, Palasa	15.60	256	Union Bank,	3,48,000/-	The individual has not

	S/o Ramana				Kasibug ga		done any cultivation activity and he has not supplied paddy to the PPC.
7	Metta Ramakrishna S/o Lxminarayana	PACS, Palasa	15.00	252	SBI, Palasa	8,42,720/-	The individual has not done any cultivation activity and he has not supplied paddy to the PPC.
8	Pinakana Tulasamma W/o Anantha Chinanchila	PACS, Palasa	17.52	560	SBI, Palasa	7,69,600/-	The individual has not done any cultivation activity and he has not supplied paddy to the PPC.
9	Arli Lakshmi W/o Tirupathi Rao, Garudahadra	PACS, Palasa	14.50	550	SBI, Palasa	7,48,000/-	The individual has not done any cultivation activity and he has not supplied paddy to the PPC.
10	Konchada Mohana Rao S/o Suryanarayana	PACS, Palasa	14.50	420	SBI, Palasa	5,71,200/-	The individual has not done any cultivation activity and he has not supplied paddy to the PPC.

The V&E officials further obtained the versions from the Rice Mill Owner and Nine (09) officials relating to enquiry and rebutted and out of them, the version of Sri.K.Khageswara Rao, the then Village Revenue Officer, Mogalipadu Village and the rebuttal of the V&E are mentioned below:-

Version of Sri.K.Khageswara Rao, the then Village Revenue Officer, Mogalipadu Village and Presently working as a Village Revenue Officer Grade-I, Kasibugga Unit-II, Palasa Mandal	Rebuttal of V&E
He stated that he was the VRO of Palasa-I from 2008 to 2014. During the year 2014-15, the owner of M/s Murali Krishna Modern Rice Mill, Mogalipadu, Palasa Mandal contacted him, and stated that his mill was given C.M.R Milling and requested for issue of Paddy Cultivation Certificate in respect of his family members and mill workers and nearest relatives, duly furnishing certain aadhar numbers. He stated that though the persons are not doing any agriculture activity concerning paddy, and not having lands, he issued the Paddy Cultivation Certificates in their names to the Mill owner. At a later date, he noticed that the said rice miller committed fraud and caused loss to the Govt.	Being a responsible Govt.servant, he indulged in malpractices and yielded to the influences of the said Rice Mill owner and issued irregular paddy Cultivation Certificates to factious persons, due to which the Rice Millers have misappropriated the paddy stocks causing huge loss to the Govt.

Findings as per the V&E officials in their Report.No.24: -

The Rice Mill i.e., M/s Murali Krishna Modern Rice Mill, Mogalipadu Village, Palasa Mandal was one of the rice mill identified as designated Rice Mill for Custom Milling during the year 2014-15 season for paddy procurement. The owner of the said Rice Mill was obtained the copies of Aadhar, Bank Pass Book (SB account) etc., from his relatives, mill workers as well of his group of people, who are not farmers and not done any agriculture activity and influenced the Staff of the Primary Agricultural Coop. Society, Vajrapukotturu and Village Organisation, Velugu-IKP staff and committed fraud jointly by fabricated the records of PPC Center and got prepared the papers at PPC by forged the signatures of persons by the Rice Miller and also influenced the concerned VRO, Agri.Extension Officers of Palasa and Vajrapukotturu Mandals and obtained false certificates (Paddy Cultivation Certificates and Analysis Reports) and prepared the claims, as if the paddy was supplied by his relatives, Mill workers as well as his group of people was genuinely supplied by farmers.

The owner of the said Rice Mill was also managed/influenced the then District Manager, APSCSC Ltd., Srikakulam and his staff for extending cooperation to his unlawful activities and for accepting the false claims prepared by him, and got the payment arranged for an amount of Rs.6,63,34,480/- during the year 2014-15, towards the value of paddy supplied by his 145 fictitious farmers.

Further, the persons, in whose names the Mill Owner has raised the fictitious claims, have disclosed that they have not done any agriculture activity and they are not having land property and also accepted that they have not supplied any paddy to the PPCs. Sri Sasanapuri Murali Krishna, owner of M/s Murali Krishna Modern Rice Mill, Mogalipadu, Palasa Mandal have obtained their aadhar cards and Bank (SB) account details only and that they accepted that they have not signed on any claims at PPC. Later, the owner has requested them to withdraw the funds in their accounts and to handover him, accordingly, they paid the funds to the owner.

The then DM, APSCSC Ltd., Srikakulam furnished to the V&E that out of 4874.00 MTs of paddy supplied to the said Rice Miller, the resultant rice 3265.580 MTs (67%) has to be handed over to the Corporation, but, only 2372.193 MTs have been returned, leaving a balance of 893.387 MTs during the season 2014-15 and the economic cost of the misappropriated cost paddy arrived at Rs.3,48,73,266/- and that the APSCSC Ltd., Srikakulam and that a Criminal Complaint was lodged against M/s Murali Krishna Modern Rice Mill in the SHO, Palasa Kasibugga vide FIR.No.97/2016 u/s 420, 403 and 406 IPC and the mill was black listed.

The V&E enquiry revealed that Sri Sasanapuri Murali Krishna, owner of M/s Murali Krishna Modern Rice Mill was managed officials of the APCSC, Srikakulam and other Revenue Officials of Srikakulam District as well as staff of PPCs for his personal gain and misappropriated the paddy causing loss to the Govt and that the owner of the Rice Miller filed the WP.No.41569/2016 and WP.No.854/2007 in the Hon'ble High Court of AP, Telangana

seeking relief for disposal of his representation pending with the respondent and the said Writ Petitions were disposed with a direction to the District Manager, APSCSC, Srikakulam to dispose the representations and accordingly, appropriate action has taken by the DMCS, Srikakulam.

Summary of findings of the V&E in their Report.No.24: -

That Sri Sasanapuri Murali Krishna, owner of M/s Murali Krishna Modern Rice Mill, Mogilipadu, Palasa Mandal with his influences has managed the officials and staff of APSCSC Ltd., Srikakulam and committed malpractises in Procurement of Paddy and entrustment to his Rice Mill for Custom Milling during the year 2014-15 and misappropriated the funds of the Govt to a tune of Rs.3,48,73,266/- being the value of 893.387 MTs of paddy, which is the allegation leveled by the petitioner one Sri Malla Ganesh, Palasa, is substantiated.

The recommendations of V&E against Sri.K.Khageswara Rao, the then Village Revenue Officer, Mogalipadu Village and Presently working as a Village Revenue Officer Grade-I, Kasibugga Unit-II, Palasa Mandal as follows:-

Sl.No.	Nature of fraud	Amount of loss caused	Action Recommended
1	Issued fictitious land holding certificates in collusion with rice mill owners, though the persons are not farmers and not having any land holdings	-	Action as deemed fit under CC A Rules

Hence, the charge.

G. SAI PRASAD
SPECIAL CHIEF SECRETARY TO GOVERNMENT

//FORWARDED::BY ORDER//

SECTION OFFICER

ANNEXURE-III

LIST OF DOCUMENTS BY WHICH ARTICLES OF CHARGE FRAMED AGAINST SRI.K.KHAGESWARA RAO, THE THEN VILLAGE REVENUE OFFICER, MOGALIPADU VILLAGE AND PRESENTLY WORKING AS A VILLAGE REVENUE OFFICER GRADE-I, KASIBUGGA UNIT-II, PALASA MANDAL ARE PROPOSED TO BE SUSTAINED.

Vigilance Report No.24 (C.No.422/V&E/CS/2017, dt:15.03.2019 of the General Administration (Vigilance Enforcement) Dept.

G. SAI PRASAD
SPECIAL CHIEF SECRETARY TO GOVERNMENT

//FORWARDED::BY ORDER//

SECTION OFFICER

ANNEXURE-IV

LIST OF WITNESSES BY WHOM THE ARTICLES OF CHARGES FRAMED AGAINST SRI.K.KHAGESWARA RAO, THE THEN VILLAGE REVENUE OFFICER, MOGALIPADU VILLAGE AND PRESENTLY WORKING AS A VILLAGE REVENUE OFFICER GRADE-I, KASIBUGGA UNIT-II, PALASA MANDAL ARE PROPOSED TO BE SUSTAINED.

-NIL -

G. SAI PRASAD
SPECIAL CHIEF SECRETARY TO GOVERNMENT

//FORWARDED::BY ORDER//

SECTION OFFICER